

Amendments to the Drawing: The attached sheet of the drawing includes changes to Figure 1. This sheet, which includes Figure 1, replaces the original sheet including Figure 1.

In Figure 1, two changes were made.

The first change corrects the spelling of the word “possess”.

The second change replaces the original text that reads, “collect DNA samples from each individual in a pool of participants” with the new text, “collect DNA samples from date- or mate-seeking participants”.

Attachments:

- Replacement Sheet
- Annotated Sheet Showing Changes

Supplemental Declaration: A “Supplemental Declaration for Utility or Design Patent Application” is included with this amendment as an attachment to correct the format of the applicant’s electronic signature.

Attachments:

- Supplemental Declaration for Utility or Design Patent Application (37 CFR 1.67)

General Remarks

Title

The title of this proposed patent was changed from “Class I and Class I MHC Profiling for Social and Sexual Matching of Human Partners” to “Class I and Class II MHC Profiling for Sexual, Reproductive, Intimate, and Romantic Matching of Human Partners”. **Specifically, the word “Social” was replaced with the words “Reproductive, Intimate, and Romantic”** to reflect the significant narrowing of the scope of this proposed patent as defined in this amendment.

Specification

In the *Field of Invention* section, paragraph [0001], **the word “any” was removed** as a description of the word “social”, **to reflect the significant narrowing of the scope** of this proposed patent, as defined in this amendment. As this amendment describes, the matching process of this invention no longer applies to *any* social matching of human beings, but rather only certain specific types of social matching.

In the *Discussion of Prior Art* section, **paragraph [0003] was changed to show that no longer does this proposed patent apply to “partner-matching organizations in general”**, but rather to “partner-matching organizations whose participants’ primary intent is to engage in romantic, sexual, reproductive, and/or intimate relationships with other individuals.”

In the same section, paragraph [0005] was changed, in part, from “Dating services and other partner-matching organizations” to “Dating services and other related partner-matching organizations”. **Specifically, the word “related” was added as a restriction to the phrase “partner-matching organizations”.**

The changes to both of these paragraphs in the *Discussion of Prior Art* section were **implemented to reflect the narrowing of this proposed patent’s scope** from partner-matching

organizations in general to only the limited types of matching organizations described in this amendment.

In the *Objects and Advantages* section, **paragraph [0007] was changed to read, in part, “the primary object of this invention is the matching of potential sexual, reproductive, intimate, or romantic partners” from the original “the primary object of this invention is the matching of potential social or sexual partners”.**

This change is a **further reflection of the narrowing of the scope** of this proposed patent from the matching of “social” partners in general to the matching of partners of a much more specific social nature.

In the **Summary of Invention** section, **paragraph [0012] was changed** from reading, in part, “the process of matching people, for sexual or social purposes” to “the matching of people, for sexual, reproductive, intimate, or romantic purposes”, in order **to further reflect the narrowing of the scope of the proposed patent from the general “social purposes” to the much more specific “reproductive, intimate, or romantic” purposes.**

The **Brief Description of Drawings** section, paragraph [0013], was changed to reflect a change in Figure 1; namely the phrase **“to match potential social or sexual partners together” was changed to “to match date- or mate-seeking participants”.**

In the **Detailed Description** section, **paragraph [0015] was changed to read, in part, “this MHC profile matching process”** from “the process of matching people using MHC profiling” in order **to reduce ambiguity of the original phrase.** The “MHC profile matching process” of this proposed patent is now much more specific than a process of “matching people” in general.

Claims

Applicant has rewritten all claims to define the invention more particularly and distinctly so as to overcome the rejections and define the invention as patentable over the prior art. Claims 1-3 were canceled and replaced with corresponding claims 4-6.

Claim Rejections – 35 USC § 112:

Claims were rejected, in part, because “It is ambiguous as to whether the alleles in step (c) of each claim correspond to the MHC profiles of step (b), or if the alleles represent any allele in general.” **All claims were rewritten to specify that the alleles in step (c) do in fact correspond to the MHC profiles of step (b) by adding the phrase, “corresponding to the MHC profiles of step (b)” immediately after the term “alleles” in step (c).**

Claims were rejected, in part, because “it is indefinite as to exactly what ‘commonalities’ refer (i.e. sequence homology). Clarification is required.” **All claims were rewritten to include the supplemental phrase, “or a greater degree of heterozygosity of said compared MHC profiles,” to the word “commonalities” as a clarification.**

Claim Rejections – 35 USC § 101:

Claims 1-3 were rejected, in part, because “The instant claims do not include any tangible result. The claim must set forth a practical application of the grouping algorithm to produce a real-world result.” The Examiner also noted that “It is not sufficient that”... “a useful, tangible, and concrete result be asserted in the specification for the claims to be statutory.” The applicant has remedied this by including the tangible results, which were included in the specification of the original application, also in the claims. **The final step (d) of each claim has been changed from “(d) matching said participants based on said comparisons” to “(d) matching said participants based on said comparisons in such a way that the matched participants have**

the opportunity to subsequently pursue romantic, sexual, reproductive, and/or intimate relationships with each other, thereby realizing the advantages of this matching process.”

Because this information was already presented in the specification, no new information has been added. Furthermore, the supplemental description of how the matching is performed significantly narrows the scope of the claims.

Claim Rejections – 35 USC § 102:

The claims of the original application were rejected, in part, “under 35 USC 102(b) as being anticipated by Hiserodt et al. [USPAT 6,207,147].”

All claims have been remedied of this rejection by considerably narrowing their scope, from a general grouping algorithm, to an algorithm that matches human beings for the explicit purpose of realizing sexual compatibility, specifically defined within the claims, among the matched individuals. To that end, changes have been made to all three claims.

The introductory phrase of each claim has been changed from “A method of matching human beings with others, comprising the steps of;” to “A method for matching human beings with other human beings such that the matched individuals are sexually compatible with each other, where sexually compatible is defined here specifically as the existence of mutual sexual attraction to each other, mutual attraction to each others’ natural body odor, and/or robust immune system(s) of any offspring that may or may not be produced by the matched individuals, comprising the steps of;”.

The distinction of this amendment from a general grouping algorithm is further emphasized in step (a) of each claim, by replacing the original “(a) assembling and/or defining a population of human participants, physically and/or virtually, to be matched amongst themselves and/or any future or past participants in the context of a dating service, dating services, or other social groups or organizations” with the amended version, “(a) assembling and/or defining a population of human participants, physically and/or virtually, to be matched amongst themselves and/or any future or past participants, in the context of a dating service, dating services, or any other social groups or organizations whose participants’ primary intent is to engage in romantic, sexual, reproductive, and/or intimate relationships with other individuals”. **Specifically, the original,**

and very general, “or any other social groups or organizations” is dramatically limited by the subsequent phrase in this amended version, “whose participants’ primary intent is to engage in romantic, sexual, reproductive, and/or intimate relationships with other individuals”.

By limiting the scope of the claims in this way, anticipation by Hiserodt et al (USPAT 6,207,147) is eliminated. While Hiserodt *does* describe a process of matching human beings based on genetic differences of the class I and class II MHC, this amendment implements a similar process for a new use, unanticipated by Hiserodt. Hiserodt (USPAT 6,207,147) performs the process to accomplish cancer immunotherapy, and these amended claims specify that the process is performed for the explicit purpose of determining sexual compatibility, as defined herein.

Abstract

This amendment changes the abstract to read, in part, “An improved process of matching people with one another, for sexual, reproductive, intimate, and/or romantic purposes” from “An improved process of matching people with one another, for social and/or sexual purposes”.

Changing the phrase “for social and/or sexual purposes” to “for sexual, reproductive, intimate, and/or romantic purposes” reflects one of the primary changes to the claims, instituted in this amendment, that **greatly narrow the scope** of this proposed patent.

Drawing

By the above amendment, applicant has **revised the drawing**, which is included as an attachment.

In Figure 1, two changes were made.

The first change **corrects the spelling of the word “possess”**.

The second change **replaces the original text that reads, “collect DNA samples from each individual in a pool of participants” with the new text, “collect DNA samples from date- or**

mate-seeking participants". This second change was implemented to reflect and emphasize the changes depicted elsewhere in this amendment that **narrow the focus** of those who would be the subjects of the process of the proposed patent from individuals in general to individuals seeking romantic, sexual, reproductive, and/or intimate relationships with others.

Supplemental Declaration

A **New Oath or Declaration** is attached to this amendment **to provide a compliant electronic signature**. As directed by the Examiner, the new oath or declaration is in compliance with 37 CFR 1.67(a), which specifies the form titled "Supplemental Declaration for Utility or Design Patent Application (37 CFR 1.67)". This form, including the electronic signature, has been completed in its entirety by the applicant.

Conditional Request for Constructive Assistance

Applicant has emended the claims and drawing of this application so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason this application is not believed to be in full condition for allowance, applicant respectfully reequests the constructive assistance and suggestions of the Examiner pursuant to MPEP § 2173.02 and § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very respectfully,

/Eric Holzle/
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Attachments

Appendix to Amendment A:

ATTACHMENTS

- Figure 1 Replacement Sheet
- Figure 1 Annotated Sheet Showing Changes
- Supplemental Declaration for Utility or Design Patent Application (2 pages)